

ALLEGED SHIPMENT: On or about March 7 and April 17, 1945, by the Texas Pharmacal Co., from San Antonio, Tex.

PRODUCT: 86 1-pint bottles of Di-Phocal at Mobile, Ala. Examination showed that the product contained not more than 65 percent of the declared amount of vitamin D.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "Each fluid ounce contains approximately * * * Vitamin D 2,000 Units U. S. P. XI * * * This dosage supplies * * * three times the daily minimum requirement of Vitamin D," were false and misleading as applied to an article which contained less than that amount of vitamin D.

DISPOSITION: August 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8290. Adulteration and misbranding of Super Multi-Caps. U. S. v. 28 Dozen Bottles of Super Multi-Caps. Consent decree of forfeiture. Product ordered released under bond. (F. D. C. No. 16860. Sample No. 23805-H.)

LIBEL FILED: July 20, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about December 14, 1944, by Oxford Products, Inc., from Cleveland, Ohio.

PRODUCT: 28 dozen bottles of Super Multi-Caps at Dallas, Tex. Examination showed that the product contained not more than 50 percent of the declared amounts of vitamins A and D.

LABEL, IN PART: "Super Multi-Caps 9 Vitamins."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), valuable constituents, vitamins A and D, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "Contents 100 Tabsules Super Multi-Caps 9 Vitamins Each Tabsule Contains Vitamin A 5000 U. S. P. Units Vitamin D 800 U. S. P. Units," were false and misleading since the article contained less than the stated amounts of vitamins A and D.

DISPOSITION: September 14, 1945. Oxford Products, Inc., claimant, having admitted the facts of the libel, judgment of forfeiture was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8291. Adulteration and misbranding of Watkins Vitamin B Complex Tablets. U. S. v. 1,200 Dozen Bottles of Vitamin B Complex Tablets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16214. Sample No. 21815-H.)

LIBEL FILED: May 25, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 3 and 30, 1944, by the J. R. Watkins Co., from Winona, Minn.

PRODUCT: 1,200 dozen bottles, each bottle containing 150 vitamin B complex tablets, at Memphis, Tenn. Examination showed that the product was 20 percent deficient in vitamin B₁.

LABEL, IN PART: "Watkins 7½-grain 150 Natural Vitamin B Complex Tablets."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted from the product.

Misbranding, Section 403 (a), the label statements, "Each Tablet assays: Vitamins B₁ (Thiamin 85 I. U.) 255 Micrograms * * * Proper maintenance of health requires these vitamins which are often deficient in the diet," were false and misleading since the article contained less than the labeled amount of vitamin B₁, and proper maintenance of health does not require the use of a product of this nature.

Further misbranding, Section 403 (f), the information concerning the vitamin properties of the article, required by Section 403 (j) to appear on the label, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since it appeared on the side panel at right angles to the main display panel.

DISPOSITION: August 18, 1945. The J. R. Watkins Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.